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PUBLIC SERVICE
COMMISSION

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

AN EXAMINATION OF THE)	
APPLICATION OF THE FUEL)	
ADJUSTMENT CLAUSE OF)	CASE NO. 2008-00286
LOUISVILLE GAS AND ELECTRIC)	
COMPANY FROM NOVEMBER 1, 2007)	
THROUGH APRIL 30, 2008)	

**PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION**

Louisville Gas and Electric Company (“LG&E”), pursuant to 807 KAR 5:001, Section 7, respectfully petitions the Commission to classify as confidential and protect from public disclosure certain information provided by LG&E in response to Question No. 10(a) of the Commission’s data requests, as contained in Appendix A of the Commission’s Order dated August 22, 2008. LG&E requests confidential treatment (“Confidential Information”) for two reports from Weir International, Inc. (“Weir Reports”), which concern LG&E’s coal suppliers’ costs of complying with the Mine Improvement and New Emergency Response Act of 2006 (“MINER Act”).

In further support of this Motion, LG&E states as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information confidentially disclosed to it to the extent that open disclosure would permit an unfair commercial advantage to competitors of the entity disclosing the information to the Commission. *See* KRS 61.878(1)(c). Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

2. Disclosure of the Weir Reports would damage LG&E’s competitive position and business interests. The reports analyze the costs LG&E’s coal suppliers incur to comply with the

MINER Act, which in turn affect the coal price increases LG&E is willing to pay its coal suppliers for their claimed compliance costs. If the Commission grants public access to the information requested in Question No. 10(a), LG&E's current and potential coal suppliers could manipulate their bids to the detriment of LG&E and its ratepayers by tailoring bids to correspond to, and to comport with, LG&E's MINER compliance cost evaluation criteria and process.

3. The information for which LG&E is seeking confidential treatment is not known outside of LG&E, is not disseminated within LG&E except to those employees with a legitimate business need to know and act upon the information, and is generally recognized as confidential and proprietary information in the energy industry.

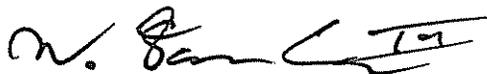
4. LG&E does not object to limited disclosure of the confidential information described herein, pursuant to an acceptable protective agreement, to intervenors with legitimate interests in reviewing the same for the purpose of participating in this case.

5. In accordance with the provisions of 807 KAR 5:001, Section 7, LG&E is filing with the Commission one copy of the Confidential Information highlighted and ten (10) copies without the Confidential Information.

WHEREFORE, Louisville Gas and Electric Company respectfully requests that the Commission grant confidential protection to the information designated as confidential for a period of five years from the date of filing the same.

Dated: September 12, 2008

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition for Confidential Protection was served via U.S. mail, first-class, postage prepaid, this 12th day of September 2008, upon the following persons:

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